

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JACKIE C. SHANE,

Plaintiff,

vs.

Civ. No. 01-194 MCA/WWD ACE

BRYAN KILLINGER, in his individual capacity,
and THE CITY OF ALBUQUERQUE,

Defendants.

MEMORANDUM OPINION AND ORDER

This matter comes before the Court *sua sponte* following production of certain documents for an *in camera* inspection by the Court pursuant to an order entered July 2, 2002 [docket no. 68]. I have conducted an *in camera* inspection of the Internal Affairs files, personnel files, and psychological evaluation of Officer Bryan Killinger as well certain documents claimed to be attorney/client work product by the City Attorney of the City of Albuquerque. These documents were Bates stamped on three groups with pages numbered 1A000001-1A000191; P000001-P000343; and WP0001-0024. Also produced were three tape recordings of administrative hearings. Of the materials submitted, I find that documents 1A000159 through 1A000191 should be produced to the Plaintiff. The other documents, as well as the three tapes submitted, need not be produced since they either have no bearing on the issues in this lawsuit or are protected as attorney/work product.

WHEREFORE,

IT IS ORDERED that on or before July 24, 2002, Defendants shall deliver to Plaintiffs pages which are Bates stamped 1A000159-1A000191 from the documents submitted to the Court for an *in camera* inspection.

IT IS FURTHER ORDERED that Defendant City of Albuquerque shall retrieve from the chambers of the undersigned all of the documents and tapes submitted for the aforementioned *in camera* inspection.


UNITED STATES MAGISTRATE JUDGE